

**BOARD OF SELECTMEN**  
**Minutes of May 19, 2008**

**MEMBERS PRESENT:** Vice-Chairman Bruce Breton called the meeting to order at 7:00 PM. Selectmen Galen Stearns, Roger Hohenberger, and Charles McMahon were present, as was Assistant Town Administrator/Finance Director Dana Call. Town Administrator David Sullivan was excused. Chairman Dennis Senibaldi was delayed, and arrived at 8:15 PM. Mr. Breton opened the meeting with the Pledge of Allegiance.

**ANNOUNCEMENTS:** Mr. McMahon reported that Festa-ball had been cancelled, on both Saturday and Sunday, due to the weather. It will be rescheduled for either June 14<sup>th</sup> or 21<sup>st</sup>.

*Chief McPherson* advised that the previous week personnel had responded to a CO detector alarm on Galway Road, at which they had utilized the recently purchased Masimo RAD-57 Pulse Co-oximeter to evaluate the residents of the home. The Chief noted that the equipment had essentially paid for itself with that first use, and that he would be seeking a second one for the other ambulance. Discussion then ensued regarding the importance of CO detectors in homes, and the Board asked that the Chief publish a press release to that effect.

*Chief Lewis* advised the Board that the new bleachers at Rogers Field had been vandalized, and requested that anyone with any information contact the Police Department.

*Chief Lewis* announced that the Department had been awarded grant monies in the amount of \$2,700 for use toward overtime reimbursement for OHRV patrols for the period of July 1, 2008 to June 30, 2009.

Mr. Hohenberger moved and Mr. McMahon seconded to approve the Chief's entering into the grant agreement for OHRV patrol reimbursement funds. Passed 4-0.

*Mr. Wayne Morris, WRTA*, approached to announce the 1<sup>st</sup> Annual Flat and Fast 5K run/walk scheduled for June 1<sup>st</sup>. Sign-up will be at Taylor Farm, and participants will then be shuttled to the race start on Roulston Road.

*Mr. Morris* then deferred to Boy Scout Jon Tomer to discuss a proposed Eagle Scout Project for the Rail Trail. Mr. Tomer approached and presented a proposal to construct guardrails at the old cattle bridge section of the Trail, where there is a steep drop and no protection for users. Mr. Tomer proposed utilizing pressure treated wood with 6x6" posts and 2x6x10"/2x6x6" rails attached with galvanized steel bolts.

Discussion ensued regarding the possibility of utilizing synthetic wood for the rails, and concerns were raised regarding Mr. Tomer's need to complete the project within a certain time frame and the possibility of delays due to this change. The Board requested that staff work the next day to draft a letter on Mr. Tomer's behalf endorsing the project subject to the change in order to expedite the change with the Eagle Scout Board.

Mr. Stearns then moved and Mr. Hohenberger seconded to approve the project on the rail trail by Mr. Tomer. Passed 4-0.

**AMERICAN LEGION:** Post Commander Mort Pearlman requested the Board approve installation of a finished poplar display case, measuring 48” H x 72” W x 8” D, in the upstairs of the Town Hall. Mr. Pearlman explained that the case will hold various veteran-related memorabilia, and will be hung before the final window on the left wall, above the chair rail.

After a brief discussion, Mr. McMahon moved and Mr. Stearns seconded to approve the installation of the display case as proposed. Passed 4-0.

*Mr. Pearlman* then announced that the Annual Memorial Day Parade will take place on Monday the 26<sup>th</sup> beginning at 9:30 AM at the Center School.

**SPECIAL POLICE OFFICERS:** Chief Lewis, with input from Mr. Breton, opened the discussion by expressing concerns regarding a recent Eagle Tribune headline that indicated that he and the Board of Selectmen were split on the matter of Special Police Officers. It was noted that this was not the case, and that Mr. Breton and Chief Lewis have worked very hard on evaluating the program to offer the best resolution.

A lengthy analysis of the program proposal by Mr. Sullivan was then reviewed and discussed: Highlights of the discussion included:

- *Training requirements:* impending retirees could go immediately to part-time status, with most of their training requirements in place. Beginning in 2009, part-timers would undergo 30+/- hours of training per year plus fitness testing.

It was suggested that anyone past 60-days of separation from employment be required to undergo a full training cycle.

- Utilization of a “town” rate for training, emergency response, etc., along with a higher “detail” rate, specifically for contracted services was discussed. Ms. Call noted that, financially, it was better to have a lower “town” rate, as those funds do not come out of the contracted services revolving fund. She indicated it is estimated that only 10% of the hours worked by specials will be under the “town” rate.
- The initial staffing was proposed to be up to five (5), and it was noted that there are three (3) known retirements upcoming. When concerns were raised regarding the cost of the program versus participation, Chief Lewis noted that the proposal includes an annual review of each special officer’s participation in the program to ensure they work enough hours to support the training costs.
- Re-wording of the former warrant article establishing the Contracted Services Revolving Fund to allow for payment of training/vehicle expenses was discussed, as were the oversight/mechanics of the current account. Mrs. Call clarified that she oversees the account, and that 5% of the annual income is transferred to the general fund, with the rest going directly in/out for detail expenses.
- Concerns regarding the effectiveness of follow-up by special officers on items such as incident reporting due to frequency of being on duty, and interim activities, etc. were discussed.

- Various proposed town and detail rates in relation to surrounding communities, currently paid rates, and variances for details requiring a vehicle were discussed at length. In addition, number of detail vehicles available and fuel costs were discussed.
- Impacts on detail needs of the 93 project were discussed, and it was suggested a list be developed of roadways in Town for which a police detail will be required for safety reasons.

Mr. McMahon moved and Mr. Hohenberger seconded to move forward as detailed in the presentation to initiate the Special Police Officer program, and that Chief Lewis and Town Administrator David Sullivan return to the Board to clarify the recommended pay rates.

Discussion ensued regarding the current program versus the proposed program. Mrs. Call felt the Board needed to establish the rates now in order to move forward with the program. Further discussion of the recommended rates ensued.

Motion passed 4-0.

Mr. Hohenberger then moved and Mr. Stearns seconded to set the “town” at \$18/hour and the “detail” rate at \$23/hour, as recommended by Mr. Sullivan.

Mr. Senibaldi arrived.

Lengthy discussion ensued, and Mr. Senibaldi suggested the “detail” rate be amended to \$27/hour. Neither Mr. Hohenberger nor Mr. Stearns concurred.

Motion passed 3-2, with Mr. Senibaldi and Mr. Breton opposed. Mr. McMahon extended thanks to Chief Lewis and Mr. Breton for their work on the project.

Mr. Senibaldi requested that Mrs. Call ensure this item is scheduled for discussion on the next agenda so that the Board may discuss it with Mr. Sullivan to ensure they understand his lengthy analysis.

*Mr. Senibaldi* assumed the chairmanship.

**POLICE VEHICLES:** Mrs. Call advised the Board that, after analysis of the bid results, 2008 vehicle replacement costs would be the same to purchase two (2) new vehicles as for the first of three (3) payments to lease six (6). She noted the Board would need to determine which path to take, and that the Fire Department is currently leasing their command vehicles.

Discussion ensued regarding related equipment for the leased vehicles, which is included in the costs, and that four marked and two unmarked cruisers were planned. Chief Lewis extended thanks to Captain Yatsevich for all his efforts on this matter.

Mr. Stearns moved and Mr. McMahon seconded to approve the Police Department’s leasing of six (6) vehicles as presented, and to award the bid MacMulkin Chevrolet. Passed unanimously.

Mrs. Call then noted for the record the following bids:

| Vendor   | Option A (Lease) – Cost per Police Pkg Vehicle | Option A (Lease) – Cost per Standard Vehicle | Option A – Lease Principal for 6 | Option B (Purchase) – Cost per Police Pkg Vehicle | Option B (Purchase) – Cost per Standard Vehicle |
|--|--|--|----------------------------------|---|---|
| Ford of Londonderry, Londonderry NH                      | \$23,189.40                                    | \$21,156.40                                  | \$135,070.40                     | \$23,189.40                                       | \$21,156.40                                     |
| Grappone Ford, Concord NH                                | \$24,359.00                                    | \$20,205.00                                  | \$137,846.00                     | \$24,359.00                                       | \$20,205.00                                     |
| Hillsboro Ford, Hillsboro NH                             | \$22,144.00                                    | \$20,096.00                                  | \$128,768.00                     | \$22,144.00                                       | \$20,096.00                                     |
| Deluca Chrysler-Jeep-Dodge, Haverhill MA (a)             | \$23,428.00                                    | \$22,871.00                                  | \$139,454.00                     | \$23,428.00                                       | \$22,871.00                                     |
| MacMulkin Chevrolet, Nashua NH (bid for 2009 model year) | \$19,446.50                                    | \$16,200.26                                  | \$110,186.52                     | \$19,446.50                                       | \$16,200.26                                     |

**HIGHWAY VEHICLES:** Mrs. Call noted that utilizing the \$30,000 budgeted for vehicle replacement towards leasing of a new vehicle rather than purchase of a surplus vehicle had been discussed during the budget season. She indicated that in response to the Board’s request, an analysis of the Highway Department vehicle needs on the operating and CIP side had been completed by the Highway Agent, who would now like to utilize the funds to lease a smaller dump truck and pickup truck. The larger dump truck would then be worked into the CIP program.

Highway Agent Jack McCartney approached and reviewed the Department’s current vehicle status, ongoing maintenance needs, and future needs. Mr. Breton and Mr. Senibaldi indicated that they were not in favor of purchasing any further used vehicles.

Discussion ensued regarding the front-line nature of the Highway Department vehicles, the lack of back-up vehicles, maintenance costs, and the benefits of a new vehicle versus surplus.

Mr. McCartney noted that the Department’s maintenance budget is overexpended year after year. He also noted that surrounding communities operate under a 6-10 year replacement plan.

After further discussion regarding the costs to send out vehicles for repair and the number of breakdowns during this previous winter, Mr. Breton moved and Mr. McMahan seconded to instruct the Highway Agent to proceed with the program as presented to lease a Ford F450 or 550 and a small dump vehicle.

Further discussion ensued regarding CIP options and eligibility in the future, the number of trucks on the road and their size, and past CIP requests. Mr. Hohenberger suggested that Mr. McCartney develop a detailed report for next year regarding the Department’s front-line status and operational hours. He then sought clarification as to why Mr. McCartney was not moving

forward to obtain a 5-ton dump. Mr. McCartney indicated that, if going with a lease program, then the current pickup truck and one-ton should be replaced as they are used on a daily basis. He noted that the 5-ton is utilized only during the winter season, and that the pickup and one-ton will not last another five years.

The motion passed 4-1, with Mr. Hohenberger opposed.

**CORRESPONDENCE:** Letter received from a vendor requesting the Board reconsider their bid award relative to replacement of the pumps at Griffin Park. After a brief discussion, no decisions were made.

**OLD/NEW BUSINESS:** Mrs. Call indicated a request had been received from Library Director Carl Heidenblad to waive the fees related to installation of temporary electrical service for the Strawberry Festival.

Mr. Hohenberger moved and Mr. McMahon seconded to waive the fees as requested. Passed unanimously.

*Mr. McMahon* indicated that a meeting would be taking place the following day at the State House relative to disposition of surplus properties in Windham as a result of the Route 111 By-pass/I-93 projects. Mr. McMahon indicated he would be attending to advocate for the return of these properties to the Town's tax rolls. Discussion ensued regarding the State's intent regarding these properties, and Mr. McMahon indicated he would like to see input from the Windham Economic Development Committee, School Board, Planning Board, and Board of Selectmen presented to the State.

Further discussion ensued regarding a possible moratorium by the State on the sale of these properties for a decade, the number of properties involved, the 440 process followed by the State in disposing of such parcels, and the ongoing Route 93 project.

Mr. McMahon will present an update to the Board on the results of the discussion at a future meeting.

*Investment Policy:* Mrs. Call reviewed several minor changes to the draft Investment Policy made as a result of the Board's last review. After a brief discussion, Mr. McMahon moved and Mr. Stearns seconded to approve the Investment Policy as presented. Passed unanimously.

**NON-PUBLIC SESSION:** Mr. Hohenberger moved and Mr. McMahon seconded to enter into a non-public session in accordance with RSA 91A:3 Ila, c and d. Roll call vote – all members “yes”. The topics of discussion were personnel, legal, and land acquisition.

The Board, Mrs. Call, Chief Lewis, and Ms. Devlin were in attendance in the first session.

After a brief discussion, Mr. Breton moved and Mr. Hohenberger seconded to remove Officer Brian Landry from probationary status effective June 1<sup>st</sup>. Passed unanimously.

*The Chief* updated the Board on the status of an ongoing, criminal investigation. No decisions were made.

*The Board*, Mrs. Call, and Ms. Devlin were in attendance in the remaining sessions.

*Mrs. Call* updated the Board on a personnel matter. No decisions were made.

*Mrs. Call* discussed a personnel matter related to compensation with the Board. No decisions were made and Mrs. Call will follow-up with the Town Administrator.

*The Board* discussed the possible lease of property. Mr. Hohenberger moved and Mr. Stearns seconded to support the concept of a one-year lease, provided there be no cost incurred to the taxpayers for maintenance. Passed unanimously.

Mr. McMahon will follow-up with the organization in question.

*The Board* discussed a potential legal matter relative to Animal Control. No decisions were made.

Mr. Hohenberger moved and Mr. McMahon seconded to adjourn. Passed unanimously.

The meeting was adjourned at 10:00 PM.

Respectfully submitted,

Wendi Devlin, Administrative Assistant

*Note: These minutes are in draft form and have not been submitted to the Board for approval.*